

**FINDINGS OF CONFORMANCE  
MULTIPLE SPECIES CONSERVATION PROGRAM  
For Sweet Homes  
TM 5392**

**April 20, 2006**

**I. Introduction**

The proposed project is a 10-unit condominium on 1.15 acres in the community of Spring Valley within the County of San Diego. The project site is located east of State Route (SR) 125 and Sweetwater Road and south of Ildica Street and north of Jamacha Road. The project will consist of two buildings, one with seven attached units and the other with three attached units.

Surrounding the site is existing residential and commercial development. The immediate area is primarily single- and multi-family residential development. Immediately to the north of the project site is a eight unit duplex development within four buildings. To the east of the project site are various multi-family developments and south of the site is a mobile home park. Mount Miguel High School is located south of the project site and on the western side of SR 125. The extension of SR 125 parallels Sweetwater Road, which runs along the western property boundary of the site.

The project site consists of 0.30 acres of non-native vegetation, 0.15 acres of urban-developed, and 0.70 acres of non-native grasslands. A spring rare plant survey was conducted by RC Biological Consulting on June 2, 2005. No sensitive, narrow endemic or listed species were observed or are expected to occur. The entire site will be impacted through development and mitigation for impacts to non-native grasslands will occur at a ½:1 ratio in an approved mitigation bank for a total of 0.35 acres. Mitigation will be in-kind or with a higher tier habitat type. The project conditions may be found in the mitigated negative declaration.

Table 1. Impacts to Habitat and Required Mitigation

<b>Habitat Type</b>	<b>Tier Level</b>	<b>Existing On-site (ac.)</b>	<b>Proposed Impacts (ac.)</b>	<b>Mitigation Ratio</b>	<b>Required Mitigation</b>
Urban-Developed	IV	0.15	0.15	--	--
Non-native grasslands	IV	0.70	0.70	½:1	0.35
Non-native vegetation	IV	0.30	0.30	--	--
<b>Total:</b>	--	1.15	1.15	--	0.35

The findings contained within this document are based on County records and staff field site visits and a spring rare plant survey completed by RC Biological Consulting on June 2, 2005. The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes

in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Game and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

## **II. Biological Resource Core Area Determination**

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

### **A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.**

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

#### **i. The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The site is not within a PAMA.

#### **ii. The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The land is completely surrounded by commercial and residential development.

#### **iii. The land is part of a regional linkage/corridor. A regional linkage/corridor is either:**

##### **a. Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale;**

- and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or
- b. Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO.)

The land is surrounded by development and is not connected to other habitat through any type of linkage or corridor.

- iv. The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.

The land is mapped as developed.

- v. The land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.

The site is surrounded by development.

- vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived from the following geologic formations which are known to support sensitive species:
  - a. Gabbroic rock;
  - b. Metavolcanic rock;
  - c. Clay;
  - d. Coastal sandstone

The underlying soils are Placentia sandy loam and Auld stony clay but no sensitive species are present as determined by a rare plant survey in June 2005.

**B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.**

Mitigation shall occur within an approved mitigation bank in the MSCP. Therefore, the mitigation site is a BRCA.

### III. Biological Mitigation Ordinance Findings

The proposed project will not impact any critical or sensitive plant populations, narrow endemic animal or plant species, or a biological resource core area. Therefore, the project design criteria and attachments G and H are not required.

### IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

**1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.**

No jurisdictional resources are located on-site. Therefore, the project will not conflict with the no-net-loss policy.

**2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.**

The project site is 1.15 acres in size and completely surrounded by development with no connectivity to other resources. Impacts will occur to 0.70 acres of non-native grasslands. The mitigation will occur in an approved mitigation bank in the MSCP. Approved banks have measures implemented to maximize structural diversity and conserve unique habitat types and features.

**3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.**

Only tier IV habitat types are found on-site and the site is mapped as developed. The project's impacts and mitigation occur to non-native grasslands and do not involve any habitats mapped as high to very high value. Therefore, compliance with this finding has been met.

**4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

Project impacts will be mitigated off-site in an approved mitigation bank in the MSCP. Approved banks have measures implemented to reduce edge effects and indirect impacts.

**5. The project provides for the development of the least sensitive habitat areas.**

The project will impact all 1.15 acres. The site consists entirely of tier IV habitat types. Therefore, development on this site will impact the least sensitive habitat types in the MSCP.

**6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

No sensitive species occur or are expected to occur on site. Impacts to 0.70 acres of non-native grasslands will be mitigated off-site in an approved mitigation bank. Project impacts will be mitigated off-site in an approved mitigation bank in the MSCP. Approved banks have measures implemented to conserve sensitive species and habitat types.

**7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

The site is too small and surrounded by development to contribute towards species movement. However, the proposed off-site mitigation will occur within an approved bank in the MSCP. This mitigation will contribute to the assembly of the preserve and conservation of wildlife movement routes.

**8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.**

No narrow endemics occur on-site.

**9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.**

The site is not part of the PAMA and the proposed development will not affect the preserve assembly. Off-site mitigation in an approved bank will contribute to preserve assembly.

**10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.**

Project impacts will be mitigated off-site in an approved mitigation bank in the MSCP. Approved banks have measures implemented to reduce edge effects and indirect impacts.

**11. Every effort has been made to avoid impacts to BRCA, to sensitive resources, and to specific sensitive species as defined in the BMO.**

Development of the site will not impact a BRCA, sensitive species or sensitive resources. All impacts occur to tier IV habitats and those occurring to non-native grasslands will be mitigated off-site in an approved mitigation bank. Therefore, every effort has been made to avoid impacts.

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